

# House File 454 - Reprinted

HOUSE FILE 454  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 89)

(As Amended and Passed by the House March 26, 2013)

## A BILL FOR

1 An Act relating to education by modifying the duties and  
2 operations of the department of education, community  
3 colleges, the school budget review committee, and local  
4 school boards, and eliminating a reporting requirement  
5 relating to vocational education funds.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.5A, Code 2013, is amended to read as  
2 follows:

3 **256.5A Nonvoting member.**

4 1. a. The governor shall appoint the one nonvoting student  
5 member of the state board for a term of one year ~~beginning~~  
6 ~~and ending~~ if the student is enrolled in grade eleven or for  
7 a term of two years if the student is enrolled in grade ten.  
8 The term shall begin and end as provided in section 69.19.  
9 The nonvoting student member shall be appointed from a list  
10 of names submitted by the state board of education. Students  
11 enrolled in either grade ten or eleven in a public school  
12 may apply to the state board to serve as a nonvoting student  
13 member.

14 b. The department shall develop an application process that  
15 requires the consent of the student's parent or guardian if  
16 the student is a minor, initial application approval by the  
17 school district in which the student applicant is enrolled, and  
18 submission of approved applications by a school district to the  
19 department.

20 2. The nonvoting student member's school district of  
21 enrollment shall notify the student's parents if the student's  
22 grade point average falls during the period in which the  
23 student is a member of the state board.

24 3. The state board shall adopt rules under chapter 17A  
25 specifying criteria for the selection of applicants whose names  
26 shall be submitted to the governor. Criteria shall include,  
27 but are not limited to, academic excellence, participation  
28 in extracurricular and community activities, and interest in  
29 serving on the board. Rules adopted by the state board shall  
30 also require, if the student is a minor, supervision of the  
31 student by the student's parent or guardian while the student  
32 is engaged in authorized state board business at a location  
33 other than the community in which the student resides, unless  
34 the student's parent or guardian submits to the state board a  
35 signed release indicating the parent or guardian has determined

1 that supervision of the student by the parent or guardian is  
2 unnecessary.

3 4. The nonvoting student member appointment is not subject  
4 to section 69.16 or 69.16A.

5 5. The nonvoting student member shall have been enrolled  
6 in a public school in Iowa for at least one year prior to the  
7 member's appointment. ~~A nonvoting student member who will not~~  
8 ~~graduate from high school prior to the end of a second term may~~  
9 ~~apply to the state board for submission of candidacy to the~~  
10 ~~governor for a second one-year term.~~

11 6. A nonvoting student member shall be paid a per diem as  
12 provided in section 7E.6 and the student and the student's  
13 parent or guardian shall be reimbursed for actual and necessary  
14 expenses incurred in the performance of the student's duties as  
15 a nonvoting member of the state board.

16 7. A vacancy in the membership of the nonvoting student  
17 member shall not be filled until the expiration of the term.

18 Sec. 2. Section 256.30, Code 2013, is amended to read as  
19 follows:

20 **256.30 Educational expenses for American Indians.**

21 1. For the fiscal year beginning July 1, 2011, and ending  
22 June 30, 2012, and for each succeeding fiscal year, there  
23 is appropriated from the general fund of the state to the  
24 department the sum of one hundred thousand dollars. The  
25 department shall distribute the appropriation to the tribal  
26 council of the Sac and Fox Indian settlement for expenses of  
27 educating American Indian children residing in the Sac and Fox  
28 Indian settlement on land held in trust by the secretary of  
29 the interior of the United States in excess of federal moneys  
30 paid to the tribal council for educating the American Indian  
31 children ~~when moneys are appropriated for that purpose. The~~  
32 ~~tribal council shall administer the moneys distributed pursuant~~  
33 ~~to this section and shall submit an annual report and other~~  
34 ~~reports as required by the department to the department on the~~  
35 ~~expenditure of the moneys.~~

1     2. The tribal council shall administer the moneys  
 2 distributed by the department pursuant to subsection 1 and  
 3 shall first use moneys distributed to it by the department  
 4 ~~of education for the purposes of this section~~ to pay the  
 5 additional costs of salaries for licensed instructional staff  
 6 for educational attainment and full-time equivalent years  
 7 of experience to equal the salaries listed on the proposed  
 8 salary schedule for the school at the Sac and Fox Indian  
 9 settlement for that school year, but the salary for a licensed  
 10 instructional staff member employed on a full-time basis shall  
 11 not be less than eighteen thousand dollars. The department of  
 12 management shall approve allotments of moneys appropriated in  
 13 and distributed pursuant to this section ~~when the department of~~  
 14 ~~education certifies to the department of management that the~~  
 15 ~~requirements of this section have been met.~~

16     Sec. 3. Section 256B.7, Code 2013, is amended to read as  
 17 follows:

18     **256B.7 Examinations of children.**

19     In order to render proper instruction to each child  
 20 requiring special education, the school districts shall certify  
 21 children requiring special education for special instruction  
 22 in accordance with the requirements set up by the division  
 23 of special education and shall provide examinations for  
 24 children preliminary to making certification. The examinations  
 25 necessary for the certification of children requiring special  
 26 education shall be prescribed by the state division of special  
 27 education. ~~Final decision in case of disagreement or appeal~~  
 28 ~~is the responsibility of the director of the department of~~  
 29 ~~education, who may secure the advice of competent medical and~~  
 30 ~~educational authorities including the Iowa department of public~~  
 31 ~~health, the university hospitals, the department of human~~  
 32 ~~services, the superintendent of the state school for the deaf,~~  
 33 ~~and the superintendent of the Iowa braille and sight saving~~  
 34 ~~school.~~ Disputes concerning a child's eligibility for special  
 35 education shall be addressed under rules and procedures adopted

1 by the state board of education pursuant to section 256B.6  
 2 and consistent with the federal Individuals with Disabilities  
 3 Education Act of 2004, 20 U.S.C. § 1400 et seq.

4 Sec. 4. Section 257.6, subsection 1, paragraph a,  
 5 subparagraph (3), Code 2013, is amended to read as follows:

6 (3) Shared-time and part-time pupils of school age enrolled  
 7 in public schools within the district, irrespective of the  
 8 districts in which the pupils reside, in the proportion that  
 9 the time for which they are enrolled or receive instruction for  
 10 the school year is to the time that full-time pupils carrying  
 11 a normal course schedule, at the same grade level, in the  
 12 same school district, for the same school year, are enrolled  
 13 and receive instruction. Tuition charges to the parent or  
 14 guardian of a shared-time or part-time nonresident pupil shall  
 15 be reduced by the amount of any increased state aid received by  
 16 the district by the counting of the pupil. This subparagraph  
 17 applies to pupils enrolled in grades nine through twelve under  
 18 section 299A.8 and to pupils from accredited nonpublic schools  
 19 accessing classes or services on the accredited nonpublic  
 20 school premises or the school district site, but excludes  
 21 accredited nonpublic school pupils receiving classes or  
 22 services funded entirely by federal grants or allocations.

23 Sec. 5. Section 257.11, subsection 3, paragraph c, Code  
 24 2013, is amended by striking the paragraph.

25 Sec. 6. Section 257.11, Code 2013, is amended by adding the  
 26 following new subsection:

27 NEW SUBSECTION. 7A. *District to community college*  
 28 *innovative sharing project.* A school district that collaborates  
 29 with a community college to provide pupils enrolled in the  
 30 school district's high school with a class that uses an  
 31 activities-based, project-based, and problem-based learning  
 32 approach that is offered through a partnership with a  
 33 nationally recognized provider of rigorous and innovative  
 34 science, technology, engineering, and mathematics curriculum  
 35 for schools, which provider is exempt from taxation under

1 section 501(c)(3) of the Internal Revenue Code, is eligible to  
2 assign its resident pupils attending the class an additional  
3 weighting of the percentage of the pupil's school day during  
4 which the pupil attends a class described in this subsection  
5 times seventy hundredths. To qualify for additional weighting,  
6 the class must supplement, not supplant, high school courses  
7 required to be offered pursuant to section 256.11, subsection  
8 5.

9 Sec. 7. Section 257.37, subsection 4, Code 2013, is amended  
10 to read as follows:

11 4. "*Enrollment served*" means the basic enrollment plus the  
12 number of nonpublic school pupils served with media services  
13 or educational services, as applicable, except that if a  
14 nonpublic school pupil or a pupil attending another district  
15 under a whole grade sharing agreement or open enrollment  
16 receives services through an area other than the area of the  
17 pupil's residence, the pupil shall be deemed to be served by  
18 the area of the pupil's residence, which shall by contractual  
19 arrangement reimburse the area through which the pupil actually  
20 receives services. Each school district shall include in  
21 the enrollment report submitted pursuant to section 257.6,  
22 subsection 1, the number of nonpublic school pupils within each  
23 school district for media and educational services served by  
24 the area. However, the school district shall not include in  
25 the enrollment report nonpublic school pupils receiving classes  
26 or services funded entirely by federal grants or allocations.

27 Sec. 8. Section 258.12, Code 2013, is amended to read as  
28 follows:

29 **258.12 Custodian of funds — reports.**

30 The treasurer of state shall be custodian of the funds  
31 paid to the state from the appropriations made under said Act  
32 of Congress, and shall disburse the same on vouchers audited  
33 as provided by law. ~~The treasurer of state shall report~~  
34 ~~the receipts and disbursements of said funds to the general~~  
35 ~~assembly at each biennial session.~~

1     Sec. 9. Section 259A.1, Code 2013, is amended to read as  
2 follows:

3     **259A.1 Tests.**

4     The department of education shall cause to be made  
5 available for qualified individuals a high school equivalency  
6 diploma. The diploma shall be issued on the basis of  
7 satisfactory competence as shown by tests covering all of the  
8 following: reading, ~~arts~~, language arts, ~~writing~~ literacy,  
9 financial literacy, mathematics, science, and social studies.

10    Sec. 10. Section 259A.2, unnumbered paragraph 2, Code 2013,  
11 is amended to read as follows:

12    Application shall be made to a testing center approved by the  
13 department of education, accompanied by an application fee in  
14 an amount prescribed by the department. The test scores shall  
15 be forwarded by the ~~testing center~~ scorer of the test to the  
16 department.

17    Sec. 11. Section 273.3, subsection 12, Code 2013, is amended  
18 to read as follows:

19    12. Prepare an annual budget estimating income and  
20 expenditures for programs and services as provided in sections  
21 273.1, 273.2, this section, sections 273.4 to 273.9, and  
22 chapter 256B within the limits of funds provided under section  
23 256B.9 and chapter 257. The board shall give notice of a  
24 public hearing on the proposed budget by publication in an  
25 official county newspaper in each county in the territory  
26 of the area education agency in which the principal place  
27 of business of a school district that is a part of the area  
28 education agency is located. The notice shall specify the  
29 date, which shall be not later than March 1 of each year, the  
30 time, and the location of the public hearing. The proposed  
31 budget as approved by the board shall then be submitted to the  
32 state board of education, on forms provided by the department,  
33 no later than March 15 preceding the next fiscal year for  
34 approval. The state board shall review the proposed budget of  
35 each area education agency and shall before ~~April~~ May 1, either

1 grant approval or return the budget without approval with  
 2 comments of the state board included. An unapproved budget  
 3 shall be resubmitted to the state board for final approval not  
 4 later than ~~April~~ May 15. ~~For the fiscal year beginning July~~  
 5 ~~1, 1999, and each succeeding fiscal year, the~~ The state board  
 6 shall give final approval only to budgets submitted by area  
 7 education agencies accredited by the state board or that have  
 8 been given conditional accreditation by the state board.

9 Sec. 12. Section 273.13, Code 2013, is amended to read as  
 10 follows:

11 **273.13 Administrative expenditures.**

12 ~~During the budget year beginning July 1, 1989, and the~~  
 13 ~~three succeeding budget years, the board of directors of~~  
 14 ~~an area education agency in which the~~ The administrative  
 15 expenditures as a percent of the an area education agency's  
 16 operating general fund for a base year shall not exceed five  
 17 percent ~~shall reduce its administrative expenditures to five~~  
 18 ~~percent of the area education agency's operating fund. During~~  
 19 ~~each of the four years, the board of directors shall reduce~~  
 20 ~~administrative expenditures by twenty-five percent of the~~  
 21 ~~reduction in administrative expenditure required by this~~  
 22 ~~section. Thereafter, the administrative expenditures shall~~  
 23 ~~not exceed five percent of the operating fund. Annually, the~~  
 24 board of directors shall certify to the department of education  
 25 the amounts of the area education agency's expenditures and  
 26 its operating general fund. For the purposes of this section,  
 27 "base year" and "budget year" mean means the same as defined in  
 28 ~~section 442.6, Code 1989, and section 257.2, and~~ "administrative  
 29 expenditures" means expenditures for executive administration.

30 Sec. 13. Section 273.23, subsection 5, Code 2013, is amended  
 31 to read as follows:

32 5. The initial board, or new board if established in time  
 33 under subsection 3, of the newly formed agency shall prepare an  
 34 annual budget estimating income and expenditures for programs  
 35 and services as provided in sections 273.1 through 273.9



1 and chapter 256B within the limits of funds provided under  
2 section 256B.9 and chapter 257. The board shall give notice  
3 of a public hearing on the proposed budget by publication in  
4 an official county newspaper in each county in the territory  
5 of the area education agency in which the principal place  
6 of business of a school district that is a part of the area  
7 education agency is located. The notice shall specify the  
8 date, which shall not be later than March 1, the time, and  
9 the location of the public hearing. The proposed budget as  
10 approved by the board shall be submitted to the state board,  
11 on forms provided by the department, no later than March 15  
12 for approval. The state board shall review the proposed  
13 budget of the newly formed area education agency and shall,  
14 before ~~April~~ May 1, either grant approval or return the budget  
15 without approval with comments of the state board included. An  
16 unapproved budget shall be resubmitted to the state board for  
17 final approval not later than ~~April~~ May 15. The state board  
18 shall give final approval only to budgets submitted by area  
19 education agencies accredited by the state board or that have  
20 been given conditional accreditation by the state board.

21 Sec. 14. Section 275.23A, subsection 2, Code 2013, is  
22 amended to read as follows:

23 2. Following each federal decennial census the school  
24 board shall determine whether the existing director district  
25 boundaries meet the standards in subsection 1 according to  
26 the most recent federal decennial census. In addition to the  
27 authority granted to voters to change the number of directors  
28 or method of election as provided in sections 275.35, 275.36,  
29 and 278.1, the board of directors of a school district may,  
30 following a federal decennial census, by resolution and in  
31 accordance with this section, authorize a change in the method  
32 of election as set forth in section 275.12, subsection 2, or  
33 a change to either five or seven directors after the board  
34 conducts a hearing on the resolution. If the board proposes to  
35 change the number of directors from seven to five directors,

1 the resolution shall include a plan for reducing the number  
2 of directors. If the board proposes to increase the number  
3 of directors to seven directors, two directors shall be  
4 added according to the procedure described in section 277.23,  
5 subsection 2. If necessary, the board of directors shall  
6 redraw the director district boundaries. The director district  
7 boundaries shall be described in the resolution adopted by  
8 the school board. The resolution shall be adopted no earlier  
9 than November 15 of the second year immediately following the  
10 year in which the federal decennial census is taken nor later  
11 than May 15 of the ~~second~~ third year immediately following  
12 the year in which the federal decennial census is taken.  
13 A copy of the plan shall be filed with the area education  
14 agency administrator of the area education agency in which the  
15 school's electors reside. If the board does not provide for  
16 an election as provided in sections 275.35, 275.36, and 278.1  
17 and adopts a resolution to change the number of directors or  
18 method of election in accordance with this subsection, the  
19 district shall change the number of directors or method of  
20 election as provided unless, within twenty-eight days following  
21 the action of the board, the secretary of the board receives a  
22 petition containing the required number of signatures, asking  
23 that an election be called to approve or disapprove the action  
24 of the board in adopting the resolution. The petition must be  
25 signed by eligible electors equal in number to not less than  
26 one hundred or thirty percent of the number of voters at the  
27 last preceding regular school election, whichever is greater.  
28 The board shall either rescind its action or direct the  
29 county commissioner of elections to submit the question to the  
30 registered voters of the school district at an election held  
31 on a date specified in section 39.2, subsection 4, paragraph  
32 "c". If a majority of those voting on the question at the  
33 election favors disapproval of the action of the board, the  
34 district shall not change the number of directors or method of  
35 election. If a majority of those voting on the question does

1 not favor disapproval of the action, the board shall certify  
 2 the results of the election to the department of management and  
 3 the district shall change the number of directors or method of  
 4 election as provided in this subsection. At the expiration of  
 5 the twenty-eight-day period, if no petition is filed, the board  
 6 shall certify its action to the department of management and  
 7 the district shall change the number of directors or method of  
 8 election as provided in this subsection.

9 Sec. 15. Section 278.1, subsection 1, paragraph e, Code  
 10 2013, is amended to read as follows:

11 e. Direct the transfer of any surplus in the debt service  
 12 fund, physical plant and equipment levy fund, or other capital  
 13 projects project funds, or public education and recreation levy  
 14 fund to the general fund.

15 Sec. 16. Section 279.30, Code 2013, is amended to read as  
 16 follows:

17 **279.30 Exceptions.**

18 Each payment must be made payable to the person entitled to  
 19 receive the money or deposited directly into an account at a  
 20 financial institution, as defined in section 527.2, specified  
 21 by the person entitled to receive the money. The board of  
 22 directors of a school district or an area education agency may  
 23 by resolution authorize the secretary, upon approval of the  
 24 superintendent or designee, or administrator, in the case of  
 25 an area education agency, to issue payments when the board  
 26 of directors is not in session in payment of reasonable and  
 27 necessary expenses, but only upon verified bills filed with the  
 28 secretary or administrator, and for the payment of salaries  
 29 pursuant to the terms of a written contract. Each payment  
 30 must be made payable only to the person performing the service  
 31 or presenting the verified bill, and must state the purpose  
 32 for which the payment is issued. All bills and salaries for  
 33 which payments are issued prior to audit and allowance by the  
 34 board must be passed upon by the board of directors at the next  
 35 meeting and be entered in the regular minutes of the secretary.

1     Sec. 17. Section 279.42, Code 2013, is amended to read as  
2 follows:

3     **279.42 Gifts to schools.**

4     The board of directors of a school district ~~which that~~  
5 receives funds through ~~gifts, devises, and bequests a gift,~~  
6 devise, or bequest shall deposit ~~these the~~ funds in a trust  
7 and fund, permanent fund, or agency fund and shall use ~~them~~  
8 the funds in accordance with the terms of the gift, devise, or  
9 bequest.

10    Sec. 18. Section 279.45, Code 2013, is amended to read as  
11 follows:

12    **279.45 Administrative expenditures.**

13    ~~For the budget year beginning July 1, 1989, and each of~~  
14 ~~the following three budget years, the board of directors of a~~  
15 ~~school district in which the~~ The administrative expenditures  
16 as a percent of the a school district's operating general fund  
17 for a base year shall not exceed five percent, ~~shall reduce its~~  
18 ~~administrative expenditures so that they are one-half percent~~  
19 ~~less as a percent of the school district's operating fund than~~  
20 ~~they were for the base year. However, a school district is~~  
21 ~~not required to reduce its administrative expenditures below~~  
22 ~~five percent of its operating fund. Thereafter, a school~~  
23 ~~district shall not increase the percent of its administrative~~  
24 ~~expenditures compared to its operating fund. Annually,~~  
25 the board of directors shall certify to the department of  
26 education the amounts of the school district's administrative  
27 expenditures and its operating general fund. For the purposes  
28 of this section, "*base year*" and "*budget year*" ~~mean~~ means  
29 the same as defined in ~~section 442.6, Code 1989, and section~~  
30 257.2, and "*administrative expenditures*" means expenditures for  
31 executive administration.

32    Sec. 19. Section 282.10, subsection 4, Code 2013, is amended  
33 to read as follows:

34    4. A whole grade sharing agreement shall be signed by the  
35 boards of the districts involved in the agreement not later

1 than February 1 of the school year preceding the school year  
2 for which the agreement is to take effect. The boards of  
3 the districts shall negotiate as part of the new or existing  
4 agreement the disposition of ~~teacher-quality~~ funding provided  
5 under chapter 284.

6 Sec. 20. Section 282.20, unnumbered paragraph 3, Code 2013,  
7 is amended to read as follows:

8 On or before February 15 and ~~June~~ July 15 of each year  
9 the secretary of the creditor district shall deliver to the  
10 secretary of the debtor district an itemized statement of such  
11 tuition fees.

12 Sec. 21. Section 291.1, Code 2013, is amended to read as  
13 follows:

14 **291.1 President — duties.**

15 The president of the board of directors shall preside at  
16 all of its meetings, sign all contracts made by the board, and  
17 appear ~~in~~ on behalf of the corporation in all actions brought  
18 by or against it, unless individually a party, in which case  
19 this duty shall be performed by the secretary. The president  
20 or the president's designee shall sign, using an original or  
21 facsimile signature, all school district ~~warrants~~ payments  
22 drawn and authorize electronic funds transfers as provided by  
23 law. The board of directors, by resolution, may designate an  
24 individual, who shall not be the secretary, to sign ~~warrants~~  
25 payments or authorize electronic funds transfers on behalf of  
26 the president.

27 Sec. 22. Section 291.6, subsection 3, Code 2013, is amended  
28 by striking the subsection and inserting in lieu thereof the  
29 following:

30 3. *Accounting records.* Keep an accurate accounting record  
31 of each payment or electronic funds transfer from each fund  
32 which shall be provided monthly to the board of directors. The  
33 secretary of the creditor district shall prepare and deliver to  
34 debtor districts an itemized statement of tuition fees charged  
35 in accordance with sections 275.55A and 282.11, and section

1 282.24, subsection 1.

2 Sec. 23. Section 291.6, subsection 4, Code 2013, is amended  
3 to read as follows:

4 4. *Claims.* Keep an accurate ~~account~~ accounting of all  
5 expenses incurred by the corporation, and present the same to  
6 the board for audit and payment.

7 Sec. 24. Section 291.7, Code 2013, is amended to read as  
8 follows:

9 **291.7 Monthly receipts, disbursements, and balances.**

10 The secretary of each district shall file monthly with the  
11 board of directors a complete statement of all receipts and  
12 disbursements from ~~the various funds~~ each individual fund  
13 during the preceding month, and also the balance remaining on  
14 hand in ~~the various funds~~ each individual fund at the close of  
15 the period covered by the statement, which monthly statements  
16 shall be open to public inspection.

17 Sec. 25. Section 291.8, Code 2013, is amended by striking  
18 the section and inserting in lieu thereof the following:

19 **291.8 Payments and electronic funds transfers.**

20 The secretary shall make each authorized payment,  
21 countersign using an original or facsimile signature, and  
22 maintain accounting records of the payments or electronic funds  
23 transfers, showing the number, date, payee, originating fund,  
24 the purpose, and the amount, and shall provide to the board at  
25 each regular annual meeting a copy of the accounting records  
26 maintained by the secretary.

27 Sec. 26. Section 291.12, Code 2013, is amended to read as  
28 follows:

29 **291.12 Duties of treasurer — ~~payment of warrants~~ receipts**  
30 **and expenditures.**

31 The treasurer shall receive all moneys belonging to the  
32 corporation, pay the same out only upon the order of the  
33 president countersigned by the secretary, ~~keeping~~ and shall  
34 keep an accurate account accounting record of all receipts  
35 and expenditures ~~in a book provided for that purpose.~~ The

1 treasurer shall register all ~~orders drawn~~ payments and  
 2 electronic funds transfers made and reported to the treasurer  
 3 by the secretary, showing the number, date, to whom drawn, the  
 4 fund ~~upon~~ from which drawn each payment and transfer was made,  
 5 the purpose and amount.

6 Sec. 27. Section 291.14, Code 2013, is amended to read as  
 7 follows:

8 **291.14 Financial statement.**

9 The treasurer shall render a statement of the finances of the  
 10 corporation whenever required by the board, and the treasurer's  
 11 ~~books~~ accounting records shall always be open for inspection.

12 Sec. 28. Section 298.2, subsections 1 and 5, Code 2013, are  
 13 amended to read as follows:

14 1. A physical plant and equipment levy of not exceeding  
 15 one dollar and sixty-seven cents per thousand dollars of  
 16 assessed valuation in the district is established except as  
 17 otherwise provided in this subsection. The physical plant  
 18 and equipment levy consists of the regular physical plant  
 19 and equipment levy of not exceeding thirty-three cents per  
 20 thousand dollars of assessed valuation in the district and  
 21 a voter-approved physical plant and equipment levy of not  
 22 exceeding one dollar and thirty-four cents per thousand  
 23 dollars of assessed valuation in the district. However, the  
 24 voter-approved physical plant and equipment levy may consist  
 25 of a combination of a physical plant and equipment property  
 26 tax levy and a physical plant and equipment income surtax  
 27 as provided in subsection 4 with the maximum amount levied  
 28 and imposed limited to an amount that could be raised by a  
 29 one dollar and thirty-four cent property tax levy. ~~The levy~~  
 30 ~~limitations of this subsection are subject to subsection 6.~~

31 5. a. The proposition to levy the voter-approved physical  
 32 plant and equipment levy is not affected by a change in  
 33 the boundaries of the school district, except as otherwise  
 34 provided in this section. If each school district involved  
 35 in a school reorganization under chapter 275 has adopted

1 the voter-approved physical plant and equipment levy ~~or the~~  
 2 ~~sixty-seven and one-half cents per thousand dollars of assessed~~  
 3 ~~value schoolhouse levy under section 278.1, subsection 7,~~  
 4 ~~Code 1989, prior to July 1, 1991,~~ and if the voters have not  
 5 voted upon the proposition to levy the voter-approved physical  
 6 plant and equipment levy in the reorganized district, the  
 7 existing voter-approved physical plant and equipment levy ~~or~~  
 8 ~~the existing schoolhouse levy, as applicable,~~ is in effect for  
 9 the reorganized district for the least amount and the shortest  
 10 time for which it is in effect in any of the districts.

11 ~~b. Authorized levies~~ An authorized levy for the period of  
 12 time approved ~~are~~ is not affected as a result of a failure of a  
 13 proposition proposed to expand the purposes for which the funds  
 14 may be expended.

15 Sec. 29. Section 298.2, subsection 6, Code 2013, is amended  
 16 by striking the subsection.

17 Sec. 30. Section 298A.4, Code 2013, is amended to read as  
 18 follows:

19 **298A.4 Physical plant and equipment levy fund.**

20 The physical plant and equipment levy fund is a ~~special~~  
 21 ~~revenue~~ capital project fund. A physical plant and equipment  
 22 levy fund must be established in any school corporation which  
 23 levies the tax authorized, whether regular or voter-approved,  
 24 under section 298.2.

25 Sec. 31. Section 298A.9, Code 2013, is amended to read as  
 26 follows:

27 **298A.9 Capital project funds.**

28 A capital project fund must be established in any school  
 29 corporation which issues bonds or other authorized indebtedness  
 30 for capital projects or which initiates a capital project, or  
 31 which receives grants or other funds for capital projects.  
 32 Boards are authorized to establish more than one capital  
 33 project fund as necessary. Any balance remaining in a capital  
 34 project fund after the capital project is completed may be  
 35 retained for future capital projects in accordance with the



1 original purpose of the bond issue or voter-approved levy; or  
 2 may be transferred, by board resolution, to the debt service  
 3 fund, to the physical plant and equipment levy fund or another  
 4 capital project fund, or ~~either to the~~ fund from which the  
 5 surplus originated; or transferred to the general fund in  
 6 accordance with section 278.1, subsection 1, paragraph "e".

7 Sec. 32. Section 298A.13, Code 2013, is amended to read as  
 8 follows:

9 **298A.13 Trust, permanent, or agency funds.**

10 Trust, permanent, or agency funds shall be established by  
 11 any school corporation to account for gifts it receives to  
 12 be used for a particular purpose or to account for money and  
 13 property received and administered by the district as trustee  
 14 or custodian or in the capacity of an agent. Boards may  
 15 establish trust ~~and~~, permanent, or agency funds as necessary.

16 Sec. 33. Section 299A.4, subsection 6, Code 2013, is amended  
 17 to read as follows:

18 ~~6. Except when a child has been enrolled in a public~~  
 19 ~~A school district under section 299A.8, or area education~~  
 20 ~~agency shall, if requested, administer the annual achievement~~  
 21 ~~evaluation at no cost to the parent, guardian, or legal~~  
 22 ~~custodian of the child being evaluated shall reimburse the~~  
 23 ~~entity conducting the evaluation for no more than the actual~~  
 24 ~~cost of evaluation required by this chapter. However, and,~~  
 25 in addition, the parent, guardian, or legal custodian is  
 26 not required to reimburse the evaluating entity for costs  
 27 incurred as a result of evaluation under section 299A.9. The  
 28 administration of the annual achievement evaluation shall not  
 29 constitute a dual enrollment purpose under section 299A.8.

30 Sec. 34. Section 299A.8, Code 2013, is amended to read as  
 31 follows:

32 **299A.8 Dual enrollment.**

33 1. If a parent, guardian, or legal custodian of a school-age  
 34 child who is receiving competent private instruction under this  
 35 chapter submits a request, the child shall also be registered

1 in a public school for dual enrollment purposes. If the child  
 2 is enrolled in a public school district for dual enrollment  
 3 purposes, the child shall be permitted to participate in any  
 4 academic activities in the district and shall also be permitted  
 5 to participate on the same basis as public school children  
 6 in any extracurricular activities available to children in  
 7 the child's grade or group, ~~and the parent, guardian, or~~  
 8 ~~legal custodian shall not be required to pay the costs of any~~  
 9 ~~annual evaluation under this chapter.~~ Dual enrollment of a  
 10 child solely for purposes of accessing the annual achievement  
 11 evaluation shall not constitute a dual enrollment purpose.

12 2. If the child is enrolled for dual enrollment purposes,  
 13 the child shall be included in the public school's basic  
 14 enrollment under section 257.6. A pupil who is participating  
 15 only in extracurricular activities shall be counted under  
 16 section 257.6, subsection 1, paragraph "a", subparagraph (6). A  
 17 pupil enrolled in grades nine through twelve under this section  
 18 shall be counted in the same manner as a shared-time pupil  
 19 under section 257.6, subsection 1, paragraph "a", subparagraph  
 20 (3).

21 Sec. 35. Section 321.375, subsection 2, Code 2013, is  
 22 amended to read as follows:

23 2. Prior to hiring an applicant for a school bus driver  
 24 position, including a contract position, an employer shall have  
 25 access to and shall review the information in the Iowa court  
 26 information system available to the general public, the sex  
 27 offender registry information under section 692A.121 available  
 28 to the general public, the central registry for child abuse  
 29 information established under section 235A.14, and the central  
 30 registry for dependent adult abuse information established  
 31 under section 235B.5 for information regarding the applicant.  
 32 An employer shall follow the same procedure ~~every five years~~  
 33 upon the renewal of an employee's or contract employee's school  
 34 bus driver's license issued by the department of transportation  
 35 valid for the operation of a school bus. An employer shall

1 pay for the cost of the registry checks conducted pursuant to  
2 this subsection. An employer shall maintain documentation  
3 demonstrating compliance with this subsection.

4     Sec. 36. Section 423F.3, subsection 1, paragraph d, Code  
5 2013, is amended by striking the paragraph.

6     Sec. 37. REPEAL. Sections 256.20, 256.21, 256.22, 256.23,  
7 256.38, 297.35, and 298A.5, Code 2013, are repealed.